OFFICIAL FILE STATE OF ILLINOISMAN COMMERCE COMMISSION LLINOIS COMMERCE COMMISSION 2005 SEP 291 A 11: 18

ORIGINAL

Comm South Companies, Inc.

Petition for Withdrawal of
Certificate of Residential Local Exchange
And Interexchange Service Authority

Comm South Companies, Inc.

CHIEF CLERK'S OFFICE

Docket No. 05-029

PETITION OF COMM SOUTH COMPANIES, INC. TO DISCONTINUE RESIDENTIAL LOCAL EXCHANGE AND INTEREXCHANGE SERVICES

Comm South Companies, Inc. ("Comm South") by its undersigned director of regulatory affairs and pursuant to Illinois Commerce Commission ("Commission") rules hereby requests that the Commission approve Comm South's petition to discontinue all residential local exchange services, including residential basic local exchange service, and all residential interexchange service.

As grounds for this petition the applicant states as follows:

PETITION TO DISCONTINUE SERVICE

- 1. Comm South is headquartered at 8035 E. RL Thornton, Suite 410, Dallas, Tx. 75228, and provides telecommunications services within the State of Illinois (the "State") under the d/b/a name, Comm South Companies, Inc..
- 2. Comm South is a certificated competitive local exchange carrier in the State pursuant to a Certificate of Authority ("COA") issued in Docket No. 97-0574 on April 7, 1998 and Docket No. 03-0338 on November 5, 2003. A copy of the order granting Comm South's COA is attached to this petition as Exhibit A.
- 3. Comm South currently offers pre-paid residential local, including basic local exchange service, and business (Payphone) telecommunications services, as well as interexchange services to customers throughout its service territory through resale and/or the use of unbundled network elements leased and/or purchased from one or more facilities-based providers. Comm South

currently has fifty (50) residential customers and one (1) Payphone customer in Illinois that will be affected by the discontinuance of service.

- 4. Comm South has filed for Chapter 7 bankruptcy protection and is in the process of liquidating its business and its assets, including discontinuing telecommunications services. A copy of the bankruptcy decision is attached to this petition as Exhibit B.
- 5. In compliance with the rules and policies of the Federal Communications Commission and the Commission, Comm South provided its residential customers with thirty (30) days notice that it will be discontinuing residential service, effective October 10, 2005. A copy of the notification letter sent to customers is attached to this petition as Exhibit C. A copy of Comm South's discontinuance notice to the Federal Communications Commission is attached to this petition as Exhibit D.
- 6. Comm South is seeking approval to discontinue (1) all of its resold residential local exchange services, including residential basic local exchange service, and (2) its resold toll service; however, Comm South must retain its certificated authority to provide business (pay telephone) service in the State until January 1, 2006, to allow its pay telephone customer to transition to another carrier. Accordingly, Comm South requests that, to the extent the Commission must take any affirmative action on Comm South's certificated authority, it only take actions on those portions of Comm South's certificated authority that relate to (1) resold residential local exchange service and (2) resold toll service, and that any such action not become effective until October 10, 2005. Comm South will surrender its certificate(s) to the Commission soon after its payphone service providing customer has transitioned to another provider.
- 7. Questions concerning this petition may be addressed to Comm South's director of regulatory affairs:

Sheri Pringle
Comm South Companies, Inc.
8035 E. RL Thornton, Suite 410
Dallas, Texas 75228
(214) 355-7005 (Phone)
(214) 355-7259 (Fax)
springle csc@hotmail.com (email)

WHEREFORE, Comm South Companies, Inc. respectfully requests that the Commission approve Comm South's petition to discontinue all residential local exchange services, including residential basic local exchange service.

DATED this 26th day of September, 2005.

Respectfully submitted,

Sheri Pringle

Director – Regulatory Affairs Comm South Companies, Inc. 8035 E. RL Thornton, Suite 410

Dallas, Texas 75228

Telephone: (214) 355-7005 Facsimile: (214) 355-7259

Email: springle_csc@hotmail.com

STATE OF ILLINOIS ILLINOIS COMMERCE COMMISSION

Comm South Companies, Inc. Petition for Withdrawal of Docket No. Certificate of Residential Local Exchange And Interexchange Service Authority VERIFICATION State of Texas County of Dallas I, Marla C. Reynolds, Chapter 7 Trustee for Comm South Companies, Inc., being duly sworn, state that I have read the Petition of Comm South Companies, Inc. requesting an order from the Illinois Commerce Commission authorizing Comm South to discontinue residential local exchange and interexchange service, as provided therein, and that the facts contained therein are true, accurate and correct to the best of my knowledge, information and belief. Marla C. Reynolds Chapter 7 Trustee for Comm South Companies, Inc. The foregoing instrument was acknowledged before me this 28 day of September, 2005, by Marla C. Reynolds.

Witness my hand and official seal.

My Commission expires: September 7, 2009

SHERI B. PRINGLE MY COMMISSION EXPIRES September 7, 2009